

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

HEADWATER RESEARCH LLC,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD. and
SAMSUNG ELECTRONICS AMERICA, INC.,

Defendants.

Case No. 2:23-cv-00103-JRG-RSP

JURY TRIAL DEMANDED

**DECLARATION OF KRISTOPHER DAVIS IN SUPPORT OF PLAINTIFF
HEADWATER RESEARCH LLC'S MOTIONS FOR SUMMARY JUDGMENT**

1. I, Kristopher Davis, declare as follows.

2. I am counsel for Headwater Research LLC (“Headwater”) in the above-captioned action. I provide this declaration in support of Headwater’s Motions for Summary Judgment. I have personal knowledge of the facts set forth herein, and if called upon to testify, could and would testify competently thereto.

3. Attached as Exhibit 1 is a true and correct copy of the Report and Recommendation on Standing in *Headwater Research LLC v. Samsung Electronics Co. Ltd.*, No. 2:22-cv-00422-JRG-RSP, Dkt. 399 (E.D. Tex.), dated August 2, 2024.

4. Attached as Exhibit 2 is a true and correct copy of the Transcript of Evidentiary Hearing in *Headwater Research LLC v. Samsung Electronics Co. Ltd.*, No. 2:22-cv-00422-JRG-RSP, dated July 25, 2024.

5. Attached as Exhibit 3 is a true and correct copy of the USPTO assignment records for the asserted ’117 patent.

6. Attached as Exhibit 4 is a true and correct copy of the USPTO assignment records for the asserted ’192 patent.

7. Attached as Exhibit 5 is a true and correct copy of the USPTO assignment records for the asserted ’733 patent.

8. Attached as Exhibit 6 is a true and correct copy of excerpts from the Opening Report of Samsung’s technical expert, Dr. Ian Foster, dated September 26, 2024.

9. Attached as Exhibit 7 is a true and correct copy of the Invention Disclosure, Confidentiality & Proprietary Rights Agreement, signed by Dr. Gregory Raleigh, dated December 18, 2006.

10. Attached as Exhibit 8 is a true and correct copy of Qualcomm employment record

of Dr. Gregory Raleigh, dated February 21, 2024.

11. Attached as Exhibit 9 is a true and correct copy of Qualcomm's objections and responses to Samsung's subpoena in *Headwater Research LLC v. Samsung Electronics Co. Ltd.*, No. 2:22-cv-00422-JRG-RSP, dated January 23, 2024.

12. Attached as Exhibit 10 is a true and correct copy of Qualcomm's objections and responses to Samsung's subpoena in this action, dated February 19, 2024.

13. Attached as Exhibit 11 is a true and correct copy of the deposition transcript of Dr. Gregory Raleigh, dated September 10, 2024.

14. Attached as Exhibit 12 is a true and correct copy of excerpts from the Initial Determination in ITC Inv. No. 337-TA-1100, dated July 12, 2019.

15. Attached as Exhibit 13 is a true and correct copy of a letter from Qualcomm to Dr. Gregory Raleigh, dated April 4, 2022.

16. Attached as Exhibit 14 is a true and correct copy of Samsung's Amended Second Supplemental Objections and Responses to Headwater Research LLC's First Set of Interrogatories (Nos. 1-17).

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 25, 2024 at Los Angeles, California

By: /s/ Kristopher Davis
Kristopher Davis

CERTIFICATE OF SERVICE

I hereby certify that on October 25, 2024, all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF System per Local Rule CV-5(a)(3).

/s/ Kristopher Davis
Kristopher Davis